



General Assembly

January Session, 2019

Amendment

LCO No. 10283



Offered by:

SEN. HWANG, 28th Dist.
SEN. FORMICA, 20th Dist.
SEN. KELLY, 21st Dist.
SEN. CHAMPAGNE, 35th Dist.
SEN. BERTHEL, 32nd Dist.

To: Subst. Senate Bill No. 924

File No. 526

Cal. No. 269

"AN ACT IMPLEMENTING THE DEPARTMENT OF MOTOR VEHICLES RECOMMENDATIONS REGARDING MOTOR VEHICLE REGISTRATION NOTICE, THE INTERNATIONAL REGISTRATION PLAN, CARRIERS, THE MEDICAL ADVISORY BOARD AND OTHER MOTOR VEHICLE STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 16a-23 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2019*):

5 (a) No person engaged in the business of refining petroleum into
6 gasoline and furnishing gasoline to retail distributors of gasoline for
7 sale to the public in this state shall fail to furnish gasoline to
8 independent retail distributors of gasoline in this state, whether or not
9 franchised by such person, at wholesale prices in reasonable quantities

10 as long as [he] such person continues to furnish gasoline to retail
11 distributors of gasoline in this state which are wholly owned by [him]
12 such person or operated under a franchise granted by [him] such
13 person.

14 (b) It shall constitute, prima facie, a violation of the provisions of
15 subsection (a) of this section for any such person (1) during any
16 calendar month beginning after July 1, 1973, to deliver to independent
17 retail distributors of gasoline in this state a percentage of the total
18 gallons of gasoline delivered by [him] such person to all retail
19 distributors of gasoline in this state during that month which is lower
20 than the percentage of the total gallons of gasoline delivered by [him]
21 such person to all retail distributors of gasoline in this state during the
22 period from July 1, 1971, to June 30, 1972, which was delivered by
23 [him] such person to independent retail distributors of gasoline in this
24 state during that period, or (2) to sell gasoline to independent retail
25 distributors of gasoline in this state at a price during any such month
26 which is greater than (A) the average price at which [he] such person
27 sold gasoline to such distributors during the period from July 1, 1971,
28 to June 30, 1972, increased by (B) a percentage equal to the percentage
29 by which the average price for gasoline sold during that month to
30 retail distributors of gasoline which are wholly owned by, or operated
31 under a franchise granted by, that person exceeds the average price for
32 gasoline sold to such distributors during the period from July 1, 1971,
33 to June 30, 1972.

34 (c) No producer or refiner of petroleum products who is subject to
35 the provisions of section 14-344a and furnishes gasoline to retail
36 distributors of gasoline for sale to the public in this state shall use a
37 pricing system under which the wholesale price paid for such gasoline
38 by such retail distributor is determined based on the geographic
39 location of such retail distributor in this state, or any other system that
40 would prevent retail distributors of gasoline from paying lower prices
41 on an equal basis with other retail distributors of gasoline in this state.
42 Any such producer or refiner shall not discriminate in the price of such
43 gasoline charged to retail distributors of gasoline in this state, except to

44 offer discounts or rebates that may be determined by such producer or
45 refiner from time to time. Such discounts or rebates shall be disclosed
46 by such producer or refiner to the retail distributors and shall be
47 offered by such producer or refiner to all of its retail distributors on
48 equal terms and conditions. When offered, all such discounts or
49 rebates and the time period they are offered shall be listed as a
50 separate line item entry on each invoice of the producer or refiner.

51 [(c)] (d) A violation of the provisions of subsection (a) or (c) of this
52 section constitutes an unfair trade practice within the provisions of
53 chapter 735a."

This act shall take effect as follows and shall amend the following sections:		
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Sec. 501	October 1, 2019	16a-23
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